

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

Morning session:
Set: 9:30 AM (AST)
Started: 9:41 AM (AST)
Ended: 11:52 PM (AST)
Afternoon session:
Set 1:10 PM (AST)
Started: 1:17 PM (AST)
Ended: 2:51 PM (AST)

MINUTES OF PROCEEDINGS

BEFORE U.S. DISTRICT JUDGE LAURA TAYLOR SWAIN

DATE: August 4, 2021

U.S. MAGISTRATE JUDGE JUDITH G. DEIN

COURTROOM DEPUTY: Carmen Tacoronte

COURT REPORTER: Amy Walker

In Re: The Financial Oversight & Management Board for Puerto Rico <i>as representative of</i> The Commonwealth of Puerto Rico et al., Debtors,	3:17-BK-3283 (LTS) PROMESA Title III (Jointly Administered)
In Re: The Financial Oversight & Management Board for Puerto Rico <i>as representative of</i> Puerto Rico Highways and Transportation Authority, Debtor,	3:17-BK-3567 (LTS) PROMESA Title III (Jointly Administered)
In Re: The Financial Oversight & Management Board for Puerto Rico <i>as representative of</i>	3:17-BK-4780 (LTS) PROMESA Title III (Jointly Administered)

3:17-BK-3283 (LTS)

Page 2

Omnibus Hearing – August 4, 2021

Puerto Rico Electric Power Authority,
Debtor.

Omnibus Hearing held.

I. STATUS REPORTS

1. Report from the Oversight Board. [Case No. 17-3283, ECF No. 17657]
2. Report from AAFAF. [Case No. 17-3283, ECF No. 17658]

II. CONTESTED MATTERS

1. DRA Parties' Amended Motion for Adequate Protection or Relief from the Automatic Stay. [Case No. 17-3283, ECF No. 16276; Case No. 17-3567, ECF No. 998]¹
 - a. Demonstrative exhibit submitted at ECF No. 17647 in Case No. 17-3283 and at ECF No. 1061 in Case No. 17-3567 admitted.
 - b. Objection of Government Parties [ECF No. 16518 in Case No. 17-3283 and ECF No. 1009 in Case No. 17-3567] overruled in part. Parties were directed to meet and confer. A **Joint Status Report is due by August 11, 2021**. Order to be issued.
2. Cobra Acquisitions LLC's Lift Stay Motion. [Case No. 17-3283, ECF No. 16328; Case No. 17-4780, ECF No. 2428]
 - a. The motion was denied. Order to be issued.
 - b. **Parties to file a Joint Status Report by January 19, 2022 at 5:00 PM (AST).**
3. Individual Bondholder's Motion for Appointment of a Committee to Represent Retail Investors in Connection with Confirmation of the Plan. [Case No. 17-3283, ECF No. 17221]²
 - a. The motion was denied. Order to be issued.
4. Three Hundred Fourteenth Omnibus Objection to Claims for Which the Debtors Are

¹ Demonstrative exhibit submitted at Case No. 17-3283, ECF No. 17647 and Case No. 17-3567, ECF No. 1061

² Evidence submitted at Case No. 17-3283, ECF No. 17649

- This hearing's agenda was filed at Docket Entry No. 17676 in 3:17-BK-3283 (LTS).

3:17-BK-3283 (LTS)

Page 3

Omnibus Hearing – August 4, 2021

Not Liable. [Case No. 17-3283, ECF No. 16638]

a. Proof of Claim No. 27635 was withdrawn in Case No. 17-3283, ECF No. 17636.

See also Case No. 17-3283, ECF No. 17681.

b. Attorney Stafford informed that there are additional pro se responses as to this objection and that those responses will be addressed at a later time.

5. Three Hundred Twenty-First Omnibus Objection to Claims for Which the Commonwealth Is Not Liable. [Case No. 17-3283, ECF No. 16647]

a. Attorney Carlos Cardona Fernandez heard on behalf of Puerto Rico Land Administration. [Case No. 17-3283, ECF No. 17207]

b. The objection was sustained as to Claims 50438 and 73021.

c. Comprehensive proposed order to be submitted by the FOMB.

6. Three Hundred Thirty-Fifth Omnibus Objection of the Debtors to Duplicate Claims. [Case No. 17-3283, ECF No. 17104]

a. The objection was sustained as to Claim No. 174424. Claim to be disallowed.

b. Comprehensive proposed order to be submitted by the FOMB.

7. Three Hundred Fortieth Omnibus Objection of the Debtors to Duplicate Claims. [Case No. 17-3283, ECF No. 17087]

a. The objection was sustained as to Claim No. 174317 filed by Genesis Security Services. Claim to be disallowed in its entirety.

b. Attorney David W. Roman was heard on behalf of Sky High Elevators Corp.

c. After hearing the parties, Claim No. 173732 filed by Sky High Elevators Corp. was disallowed in its entirety as a duplicate of Claim No. 173742.

d. Comprehensive proposed order to be submitted by the FOMB.

8. Three Hundred Forty-Fifth Omnibus Objection of the Debtors to Misclassified Claims [Case No. 17-3283, ECF No. 17108]

a. The objection was sustained as to Claim No. 34338 by Gisela Vazquez Rodriguez. The claim is to be reclassified as a general unsecured claim.

b. Claim No. 167999 filed by Rosa I. Orengo Rohena was resolved via stipulation

- This hearing's agenda was filed at Docket Entry No. 17676 in 3:17-BK-3283 (LTS).

3:17-BK-3283 (LTS)

Page 4

Omnibus Hearing – August 4, 2021

in Case No. 17-3283, ECF No. 17682.

- c. Attorney Ivonne Gonzalez Morales heard as to ECF No. 17423 in Case No. 17-3283.
- d. As to Claim No. 20773 by Zoraida Chevere Fraguada, the FOMB will submit supplemental information.
- e. The objection was sustained as to Claim Nos. 1845, 136186, 39906, 27602, 45321, 12337, 36519, 29885, 10442, 35710, 129809, 90365, 12312, 12345, 2252, 28152, 4821, 2414, 145627, and 41069. Claims to be reclassified as unsecured claims.

9. Three Hundred Forty-Seventh Omnibus Objection of the Debtors to Misclassified and Overstated Claims. [Case No. 17-3283, ECF No. 17109]

- a. The objection was sustained as to Claims 109157, 66935, 29547, 105171, 42138. Claims to be reduced and reclassified as unsecured.

Three Hundred Forty-Ninth Omnibus Objection of the Debtors to Duplicate Litigation Claims. [Case No. 17-3283, ECF No. 17092]

- a. The objection was sustained as to Claims 30608 and 96586. Claims to be disallowed as duplicative of the master claim filed in connection with the litigation captioned as Madeline Acevedo Camacho et al. v. Puerto Rico Department of Family Affairs, No. 2016-05-1340.

Three Hundred Fifty-First Omnibus Objection of the Debtors to Partial Duplicate Litigation Claims. [Case No. 17-3283, ECF No. 17112]

- a. As to Claim No. 47278 by Josefina Concepcion Quinones and Claim No. 23166 by Maria Rosado Cruz, the FOMB will submit supplemental information.
- b. The objection was sustained as to Claim Nos. 17965, 9440, 9647, 15550, 9210, 17033, 9322, 9127, 10825, 23567, 22296, 9346, 23816, 75583, 10368, 9423, 40644, 9645, 9454, 10427, 9625, 9056, 11097, 10898, 17619, 11951, 12662,

- This hearing's agenda was filed at Docket Entry No. 17676 in 3:17-BK-3283 (LTS).

3:17-BK-3283 (LTS)

Page 5

Omnibus Hearing – August 4, 2021

9451, and 9617. Claims to be partially disallowed as duplicative of the master claims filed in connection with the litigation captioned as Madeline Acevedo Camacho et al. v. Puerto Rico Department of Family Affairs, No. 2016-05-1340, and Francisco Beltrán Cintrón, et al. v. Puerto Rico Department of Family Affairs, Case No. KAC-2009-0809, but only to the extent those claims are duplicative of the claims asserted in the Acevedo Camacho and Beltrán Cintrón litigations.

10. Three Hundred Fifty-Second Omnibus Objection of the Debtors to Duplicate and No Liability Bond Claims. [Case No. 17-3283, ECF No. 17093]

a. The objection was sustained as to Claim Nos. 174229, 174231, 174264 as duplicative of the PBA Master Claim.

III. ADJOURNED MATTERS

1. Objection of Puerto Rico Sales Tax Financing Corporation to Proofs of Claim of the United States Department of the Treasury/Internal Revenue Service. [Case No. 17-3283, ECF No. 7419, Case No. 17-3284, ECF No. 643]
 2. Atlantic Medical Center, Inc. et al.'s Motion to Enforce Court's Prior Order and for Relief from Automatic Stay. [Case No. 17-3283, ECF No. 12918]
 3. Motion of Fir Tree Capital Management, LP for Allowance and Payment of Administrative Expense Claim. [Case No. 17-3283, ECF No. 16331]
 4. Debtors' Omnibus Objections to Claims.
 - c. Notice of Adjournment of Omnibus Objections Scheduled for Hearing at the April 8, 2021 Omnibus Hearing to the June 16, 2021 Omnibus Hearing [Case No. 17-3283, ECF No. 16567]
 - d. Notice of Adjournment of Omnibus Objections Scheduled for Hearing at the June 16, 2021 Omnibus Hearing to the August 4, 2021 Omnibus Hearing [Case No. 17-3283, ECF No. 16935]
 - e. Notice of Adjournment of Omnibus Objections Scheduled for Hearing at the August 4, 2021 Omnibus Hearing to the October 6, 2021 Omnibus Hearing
- This hearing's agenda was filed at Docket Entry No. 17676 in 3:17-BK-3283 (LTS).

3:17-BK-3283 (LTS)

Page 6

Omnibus Hearing – August 4, 2021

[Case No. 17-3283, ECF No. 17625]

Omnibus Hearing set for October 6, 2021 at 9:30 AM (AST) before Judge Laura Taylor Swain.

s/Carmen Tacoronte

Carmen Tacoronte

PROMESA Case Administrator

- This hearing's agenda was filed at Docket Entry No. 17676 in 3:17-BK-3283 (LTS).